

“Celebrating 98 Years of Flood Management”

CENTRAL VALLEY FLOOD PROTECTION BOARD

California Natural Resources Agency – State of California

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BOARD COUNSEL

Deborah Smith, Legal Counsel

Matt Campbell, Legal Counsel

DRAFT AGENDA

CENTRAL VALLEY FLOOD PROTECTION BOARD BEAR CREEK LEVEE ENCROACHMENT HEARINGS

September 1, 2009 & September 2, 2009 – 9:00 AM

Location: The Robert J. Cabral Agricultural Center, 2101 E. Earhart Avenue,
1st Floor Assembly Room 1, Stockton, CA 95206 - Phone: (209) 953-6000

September 3, 2009 – 9:00 AM *(for rescheduled items, if necessary)*

Location: The Stockton State Building, 31 E. Channel Street, Auditorium,
Stockton, CA 95202 – Phone: (209) 948-7730

NOTE: THE BOARD WILL CONSIDER TIMED ITEMS AS CLOSE AS POSSIBLE TO THE LISTED TIME, BUT NOT BEFORE THE TIME SPECIFIED. UNTIMED ITEMS MAY BE HEARD IN ANY ORDER

September 1, 2009 – 9:00 AM - The Robert J. Cabral Agricultural Center

1. ROLL CALL

2.* APPROVAL OF AGENDA

*action item

Anyone may upon request obtain a copy of background or other material on an agenda item that has been distributed to the members of the Board. A fee covering the cost of the provision of such materials may be charged.

If you need reasonable accommodations due to a disability, or need language assistance, please contact the Equal Opportunity Management Investigations Office at (916) 653-6952, or TDD (916) 653-6934 at least a week prior to the meeting.

3.* HEARINGS AND DECISIONS

A. Permit No. 18420, Daniel and Angie Sanchez (Staffperson Jon Tice) – 9:00 AM

Consider Resolution No. 09-28 for Permit No. 18420 on the left (south) bank levee of Bear Creek (San Joaquin County) to:

1. Approve or deny authorization of an existing sprinkler system located at a depth of 1-foot under the landside and waterside slopes, at the toes and under the crown of the levee, with a manual cutoff valve 10 feet from landside toe; a weeping willow tree on the waterside berm; concrete steps on the landside and waterside levee slopes; a brick walkway across the levee crown; a 18 by 21-foot concrete and brick platform with two benches and table on landside fill, 3/4-inch PVC pipe and two hose bibs attached to platform; Red Apple ice plant on landside slope and within 10 feet of levee toe; and perpendicular lattice fence on landside slope and within 10 feet of levee toe.
2. Direct staff to initiate enforcement proceedings to remove unauthorized encroachments.

B. Permit No. 18418, Jesse and Marie Robles (Staffperson Angeles Caliso) – 10:30 AM

Consider Resolution No. 09-29 for Permit No. 18418 on the left (south) bank levee of Bear Creek (San Joaquin County) to:

1. Approve or deny authorization of an existing 8- by 22-foot boat dock supported by two 9-inch-diameter steel pilings, attached to a 4-foot-wide gangway, attached to a 6- by 6-foot concrete landing, a brick walkway on the crown, sprinkler system on land and waterside slopes, concrete steps on land and waterside levee slopes, three fir trees on the landside slope, a 2-foot 4-inch-high retaining wall, wrought iron fence, concrete mowing strip and electric outlet on the landside toe.
2. Direct staff to initiate enforcement proceedings to remove unauthorized encroachments.

LUNCH BREAK

C. Permit No. 18468, Joe and Shelley Phillips (Staffperson Joo Chai Wong) – 1:30 PM

Consider Resolution No. 09-30 for Permit No. 18468 on the left (south) bank levee of Bear Creek (San Joaquin County) to:

1. Approve or deny authorization of existing concrete steps and a 9-inch-high concrete block wall on the waterside slope; wood steps, a 12-inch-high wood retaining wall, 1-foot-high water pipe with hose bib and sprinkler system on the landside slope; a wood shed; Modesto Ash, wood deck, a 24-inch-high wood retaining wall, 9-inch-high concrete block wall, a grouted rock waterfall and pond at the landside toe.
2. Direct staff to initiate enforcement proceedings to remove unauthorized encroachments.

4. PUBLIC COMMENTS

5. RECESS

September 2, 2009 – 9 AM - The Robert J. Cabral Agricultural Center

6. ROLL CALL

7.* HEARINGS AND DECISIONS

A. Permit No. 18445, Anthony Joachim (Staffperson Jon Tice) – 9:00 AM

Consider Resolution No. 09-31 for Permit No. 18445 on the left (south) bank levee of Bear Creek (San Joaquin County) to:

1. Approve or deny authorization of an existing 16-inch-high retaining wall and 4-foot-high wrought iron fence on top at the landside levee toe, existing concrete stairs on landside and waterside slope, a boat dock, an elevated gazebo the waterside berm; sprinkler system at the landside levee toe, 2 fir trees on the landside slope, 2 willow trees on the waterside berm, and to construct handrails for both landside and waterside stairs and a concrete abutment and ramp to attach to the existing boat dock.
2. Direct staff to initiate enforcement proceedings to remove unauthorized encroachments.

B. Permit No. 18446, Roosevelt Ross III (Staffperson Joo Chai Wong) – 10:30 AM

Consider Resolution No. 09-32 for Permit No. 18446 on the left (south) bank levee of Bear Creek (San Joaquin County) to:

1. Approve or deny authorization of an existing boat dock and gangway (authorized under permit 16928), concrete patio, light pole and willow tree on waterside berm, 2-foot-high retaining wall, brick steps, irrigation system, and ¾-inch drain pipe on waterside slope, brick pavers on crown, fill on landside slope, 6-foot-high retaining wall and wrought iron fence on the landside toe.
2. Direct staff to initiate enforcement proceedings to remove unauthorized encroachments.

LUNCH BREAK

C. Permit No. 18466 & 18501, Peter and Sharon Guidice (Staffperson Angeles Caliso) – 2:00 PM

Consider Resolution No.09-33 for Permit Nos. 18466 & 18501 on the left (south) bank levee of Bear Creek (San Joaquin County) to:

1. Approve or deny authorization of existing concrete block retaining wall, 6-inch high brick border, and built-in pool within 5 feet from the landside toe, 6-foot high wood fence, electrical mounting post and box, 14 Fraser Photinia, 3 Mayten Shower, and 2 redwood trees on landside slope; and a sprinkler system on the waterside slope, berm, and landside slope.

2. Approve or deny authorization of proposed 6 foot high parallel fence with wire mesh opening at the bottom 18 to 24-inches, on the landside slope.
3. Direct staff to initiate enforcement proceedings to remove unauthorized encroachments.

8. PUBLIC COMMENTS

9. RECESS

September 3rd is reserved for Schedule Changes and Postponements, The Stockton State Building – 9:00 AM

10. ROLL CALL

11.* HEARINGS AND DECISIONS

12. ADJOURN

CENTRAL VALLEY FLOOD PROTECTION BOARD

As a guide and aid through the Board's hearing process, below please find an outline of the process that will be utilized during the Bear Creek Levee Encroachment Hearings taking place in Stockton on September 1st, 2nd, and 3rd.

HEARING PROCESS

1. Staff Presentation
2. Applicant Presentation
3. U.S. Army Corps of Engineers Presentation
4. Local Maintaining Agency Presentation
5. Other Public Testimony
6. Responses and/or Rebuttals
7. Board Deliberations
8. Board Decision

Please contact Dan Fua, Supervising Engineer, if you have questions by e-mail at dfua@water.ca.gov, or by phone at (916) 574-0609.

Thank you.